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RECEIVED
SEP 16 1988

SUPERFUND PROGRAM
MANAGEMENT BRANCH

September 12, 1988

Ms. Susan Swales SHE-12
U.S.EPA, Region V
Waste Management Division
CERCLA Enforcement Section
230 South Dearborn Street
Chicago, Illinois 60604

Re: Information Request, Ninth Avenue and U.S. Scrap Sites --
DeMert & Dougherty, Inc.

Dear Ms. Swales:

DeMert & Dougherty, Inc. received a U.S. EPA Notice of Potential Liability and Information Request Letter with respect to the above-referenced Sites on March 17, 1988. The attached Affidavit of Mr. Steve Drell, Executive Vice President of DeMert & Dougherty, Inc. constitutes our response to the Information Request. As indicated in the Affidavit, DeMert & Dougherty, Inc. has conducted a diligent search for all records relating to the Sites and has found no records responsive to the Information Request. The submission of this Affidavit does not constitute nor shall it be construed as an admission of liability with regard to the Ninth Avenue Site or U.S. Scrap Site.

Sincerely,

Kathleen M Donahue

Kathleen M. Donahue

cc: Mr. Ed Kowalski
Mr. Jack Young
Mr. Mitchell D. Goldsmith

US EPA RECORDS CENTER REGION 5



410336

AFFIDAVIT

Mr. Steve Drell being duly sworn, deposes and states as follows:

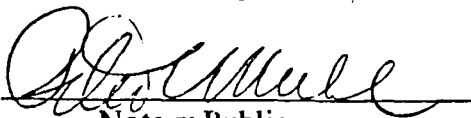
1. Affiant is Executive Vice-President of DeMert & Dougherty, Inc., and is authorized to respond to the U.S. EPA document request of March 21, 1988 on the Corporation's behalf.
2. Affiant has reviewed the document request of March 21, 1988, is familiar with the contents, and has requested appropriate Corporation personnel to determine if responsive documents exist within the possession or control of the Corporation.
3. Affiant is without personal knowledge as to the existence of documents in the possession or control of the Corporation responsive to the U.S. EPA document request of March 21, 1988 and Affiant has been informed and believes that no individual officer or employee of DeMert & Dougherty has personal knowledge of all the matters about which U.S. EPA requested information in said document request.
4. Affiant has been informed by employees of the Corporation that no documents responsive to the U.S. EPA document request of March 21, 1988 can be located within the possession or control of the Corporation after the exercise of reasonable diligence and inquiry at those locations within the Corporation where any responsive documents might reasonably be expected to be found.

Further Affiant Sayeth Not.



Steve Drell

SUBSCRIBED AND SWORN TO
before me on August 31, 1988



Notary Public

0823DEM

My Commission Expires Sept. 6, 1999

414 NORTH ORLEANS STREET-SUITE 810

Ms. Susan Swales
Waste Management Division
CERCLA Enforcement Section
~~5HE-12~~ HS
U.S. EPA
230 South Dearborn
Chicago, Illinois 60604

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